

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

CHRIS MERKEL and KAMI MERKEL,

Plaintiffs,

vs.

GIANT A & M, INC., and LYNN MADSEN,

Defendants.

IN THE MATTER OF:

GIANT A & M, INC.,

Debtor(s)

CASE NO. 8:13CV44

**MEMORANDUM
AND ORDER**

**CASE NO. BK12-82208-TLS
A12-8085-TLS**

CH. 11

This matter is before the Court on the Report and Recommendation of Chief U.S. Bankruptcy Judge Thomas L. Saladino (Filing No. 1) recommending that this Court withdraw the reference of the adversary proceeding to the bankruptcy court. The time for filing objections to the Report and Recommendation has passed. See NEGenR 1.5(b)(2). No objections have been filed under Federal Rule of Bankruptcy Procedure 9033(b).

The Court finds that under 28 U.S.C. § 157(d) and Federal Rule of Bankruptcy Procedure 9033(d), and for good cause show, the Report and Recommendation should be adopted. Accordingly,

IT IS ORDERED:

1. The Report and Recommendation (Filing No. 1) is adopted; and
2. The parties' adversary proceeding shall progress in this Court.

Dated this 26th day of February, 2013.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge